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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Christopher J. Horvath and Patricia E. Rao
 Application No.: 10/662,061 Group: 1644
 Filed: September 12, 2003 Examiner: P. Gambel, Ph.D.
 Confirmation No.: 1933
 For: METHOD OF INHIBITING STENOSIS AND RESTENOSIS

CERTIFICATE OF MAILING OR TRANSMISSION

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July 25, 2006

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Typed or printed name of person signing certificate

REPLY TO RESTRICTION REQUIREMENT

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

This paper is being filed responsive to the Restriction Requirement dated July 3, 2006, in the above-referenced application. The Restriction Requirement indicates that the Amendment filed on March 31, 2004 was entered, that claims 49-70 are pending and that restriction to one of three inventions is required. However, Applicant did not file an Amendment in this application on March 31, 2004, and claims 1-3, 5-8, 10, 12, 14, 16, 18, 22, 23, and 34-39 are pending. A review of the image file wrapper for this application on July 17, 2006, revealed that a preliminary amendment had been misfiled in the above-referenced application.

The undersigned contacted the Examiner by telephone on July 17, 2006, to alert him to the misfiled amendment, and was referred by the Examiner to Ms. Deborah Dotson, Technology

Center 1600 Head Supervisory Legal Instruments Examiner. The situation was explained to Ms. Dotson telephonically on July 17, 2006.

On July 18, 2006, Ms. Dotson reported to the undersigned that she had reviewed the image file wrapper and removed the misfiled Amendment from the image file wrapper for this application. The undersigned advised the Examiner that the misfiled amendment had been removed from the image file wrapper, and the Examiner suggested that a Reply should be filed.

The Examiner is requested to vacate the Restriction Requirement dated July 3, 2006.

In view of the foregoing, it is clear that the Restriction Requirement dated July 3, 2006 does not relate to the pending claims. Accordingly, this paper is fully responsive to the Restriction Requirement.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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